

Attorney Docket No. 021617.0253C2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: 3731

Application No.: 10/802,036

Examiner: Unassigned

Filed: March 17, 2004

Title: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

PETITION UNDER 37 C.F.R. §1.47

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants respectfully petition, pursuant to 37 C.F.R. § 1.47, to accept the present application as being filed on behalf of the non-signing inventors.

OATH OR DECLARATION BY ALL AVAILABLE INVENTORS

Applicants submit herewith a copy of the June 4, 2004 Notice to File Missing Parts along with a declaration executed by all available inventors who were willing to sign.

IDENTIFICATION OF NON-SIGNING INVENTORS & LAST KNOWN ADDRESSES

Both Eitan Konstantino and Tanhum Feld are named inventors, and have refused to join the present application by signing of the declaration. Their last known address information is as follows:

09/02/2004 SZEWDIE1 00000037 10802036

01 FC:1460

130.00 0P

Eitan Konstantino
29 Meadows Park Court
Orinda, CA 94563

Tanhum Feld
Moshav Merhavia
19105 Israel

PROOF OF UNAVAILABILITY OR REFUSAL

Applicants submit herewith the Declaration of Michele V. Frank in support of this petition. It is respectfully submitted that the Declaration and Exhibits attached thereto establish:

(i) Eitan Konstantino and Tanhum Feld were presented with the application and declaration; (ii) were requested to join in the application by executing the declaration; and (iii) the conduct of Eitan Konstantino and Tanhum Feld constitutes a refusal to join in the application.

RELIEF REQUESTED & CONCLUSION

In light of the above, Applicants request that the present application be accepted as complete. To the extent that it is determined that relief is inappropriate pursuant to 37 C.F.R.

§ 1.47, Applicants hereby request that this petition be considered under to 37 C.F.R.

§ 1.181 and/or § 1.183. The petition fee pursuant to 37 C.F.R. § 1.17(h) is submitted herewith.

Should this petition be considered insufficient, or the relief requested not be granted for any reason, Applicants respectfully request that this be considered a *bona fide* attempt to respond to the Notice to File Missing Parts of June 4, 2004, and that Applicants be permitted an opportunity to supplement this response.

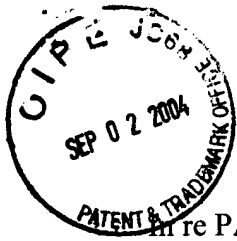
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2228. Should no proper payment be enclosed herewith, as by a check

being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2228. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2228.

Respectfully submitted,

Date Sept. 1, 2004
PATTON BOGGS LLP
Customer Number: 32042
Telephone: (703) 744-7907
Facsimile: (703) 744-8001

By Michele Van Patten Frank
Michele Van Patten Frank
Attorney for Applicant
Registration No. 37,028



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: 3731

Application No.: 10/802,036

Examiner: Unassigned

Filed: March 17, 2004

Title: STENT WITH PROTRUDING BRANCH
PORTION FOR BIFURCATED VESSELS

DECLARATION OF FACTS IN SUPPORT OF §1.47 PETITION

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

My name is Michele V. Frank. I am an attorney of record in the above-identified patent application.

On June 10, 2004 I forwarded a copy of U.S. Patent Application Serial No. 10/802,036, as filed, along with unexecuted declaration and assignment documents associated with the above-identified patent application, and a cover letter, to the last known address of Eitan Konstantino via Federal Express (Exhibit #1).

On June 10, 2004 I forwarded a copy of U.S. Patent Application Serial No. 10/802,036, as filed, along with unexecuted declaration and assignment documents associated with the above-identified patent application, and a cover letter, to the last known address of Tanhum Feld via DHL – this shipment was lost by DHL (Exhibit #2). On July 26, 2004, after a DHL search for the package was unsuccessful, I forwarded the same documents via Federal Express (Exhibit #2).

In the aforementioned cover letter, Mssrs. Konstantino and Feld were advised of the statutory final deadline for furnishing an executed declaration to the U.S. Patent and Trademark Office. Said letter further requested that the executed documents be provided by September 1, 2004 in order to provide sufficient time to prepare an appropriate response the Notice to File Missing Parts dated June 4, 2004. Mssrs. Konstantino and Feld were also advised that failure to return executed documents by July 26, 2004 (and by September 1, 2004 for the second attempted letter to Mr. Feld) would be construed as an express refusal to sign these documents.

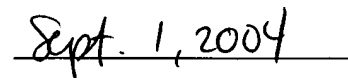
As of the current date, to the best of my knowledge, neither Eitan Konstantino nor Tanhum Feld has returned an executed declaration or assignment for the present application, nor has any communication been received from either inventor.

In addition, attached as Exhibit #3 is a copy of the Petition, Declaration of Facts (and exhibits) and Granting of Petition for parent application serial number 10/644,550, in which Applicants, Mssrs. Konstantino and Feld, were non-signing inventors.

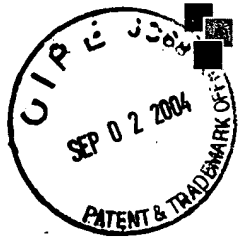
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.



Michele V. Frank



Date



PATTON BOGGS LLP
ATTORNEYS AT LAW

8484 Westpark Drive
Suite 900
McLean, VA 22102-5117
703-744-8000

Facsimile 703-744-8001
www.pattonboggs.com

June 10, 2004

Michele V. Frank
(703) 744-7907
mfrank@pattonboggs.com

Practice Limited To Matters Before Federal
Courts and the United States Patent and
Trademark Office

VIA FEDEX- SIGNATURE REQUIRED

Eitan Konstantino
29 Meadow Park Court
Orinda, CA 94563

Re: U.S. Application No. 10/802,036
Entitled: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
Our Ref: 021617.0253C2US

Dear Mr. Konstantino:

We are writing to you on behalf of Advanced Stent Technologies with regard to the execution of certain formal papers in connection with the prosecution of the above-identified US Patent Application. This application is a continuation-in-part of, among other applications, U.S. Application No. 10/644,550, for which we previously requested your execution of certain documents. To date, we have not received those executed documents from you.

Accordingly, attached is a copy of U.S. Patent Application Serial No. 10/802,036, as filed. We are presented with a deadline of **August 4, 2004** for filing executed copies of the attached documents with the U.S. Patent and Trademark Office. Alternatively, Advanced Stent Technologies can proceed with the prosecution of the Application despite your refusal to sign the formal papers.

Please review, sign and date the attached documents and return them directly to me at the above-indicated address no later than **July 26, 2004**. Failure to do so would be construed as an express refusal to sign the formal papers, and Advanced Stent Technologies will take the appropriate measures to proceed with the prosecution of the above-identified patent applications without your participation.



Eitan Konstantino
June 10, 2004
Page 2

Should you have any questions or comments with regard to the above, please do not hesitate to contact us.

Best regards,

A handwritten signature in black ink, appearing to read 'Michele V. Frank', with a long horizontal flourish extending to the right.

Michele V. Frank, Esq.

MVF/:ljp
Enclosures

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

(Attorney Docket No. 021617.0253C2US)

the specification of which (check one)

 is attached hereto.

 X was filed on March 17, 2004, as United States Application Number or PCT International Application Number 10/802,036 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's

certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US99/00835	WO	January 13, 1999	yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/487,226	July 16, 2003
60/488,006	July 18, 2003
60/404,756	August 21, 2002

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
10/705,247		November 12, 2003	
10/644,550		August 21, 2003	
10/440,401		May 19, 2003	
09/963,114		September 24, 2001	
09/750,372		December 27, 2000	6,599,316
09/668,687		September 22, 2000	
09/326,445		June 4, 1999	6,325,826
09/007,265		January 14, 1998	6,210,429
08/744,002		November 4, 1996	

I HEREBY APPOINT the registered attorneys and agents at Customer Number 32042 to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michele V. Frank
Patton Boggs LLP
Customer Number: 32042

Telephone: (703) 744 7907
Facsimile: (703) 744 8001

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Charles J. Davidson
Residence	1131 Sunview Lane, Winnetka, Illinois 60093
Citizenship	United States
Post Office Address	1131 Sunview Lane, Winnetka, Illinois 60093
Inventor's signature	
Date	
Name of second inventor	Gil M. Vardi
Residence	14203 Stifel Lane Court, Town and Country, Missouri 63017
Citizenship	United States
Post Office Address	14203 Stifel Lane Court, Town and Country, Missouri 63017
Inventor's signature	
Date	
Name of third inventor	Eric Williams
Residence	2068 Davis Drive, Fairfield, California 94533
Citizenship	United States
Post Office Address	2068 Davis Drive, Fairfield, California 94533
Inventor's signature	
Date	

Name of fourth inventor	Amnon Yadin
Residence	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Citizenship	Israel
Post Office Address	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Inventor's signature	
Date	
 Name of fifth inventor	 Yossi Morik
Residence	100 East Huron 1102-1103, Chicago, IL 60611
Citizenship	United States
Post Office Address	100 East Huron 1102-1103, Chicago, IL 60611
Inventor's signature	
Date	
 Name of sixth inventor	 Eitan Konstantino
Residence	29 Meadow Park Court, Orinda, CA 94563
Citizenship	Israel
Post Office Address	29 Meadow Park Court, Orinda, CA 94563
Inventor's signature	
Date	
 Name of seventh inventor	 Tanhum Feld
Residence	Moshav Merhavia, 19105 Israel
Citizenship	Israel
Post Office Address	Moshav Merhavia, 19105 Israel
Inventor's signature	
Date	

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on March 17, 2004, (Application No. 10/802,036); and

WHEREAS Advanced Stent Technologies, Inc., a corporation of Delaware, whose post office address is 6900 Koll Center Parkway, Suite 415, Pleasanton, California 94566 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention, including the right to recover for past infringement, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____

State of _____

SS.

Subscribed and sworn to before me
this _____ day of _____, 2004.

Notary Public

Charles J. Davidson

Full Name of Sole or First Assignor

1131 Sunview Lane, Winnetka, Illinois 60093

Address

First Assignor's Signature

Date

Names of additional inventors attached ☒ Yes ☐ No

Date _____Date _____

. Date

Date _____Date _____Date _____

From: Origin ID: (703)744-7907
Michele V. Frank
Patton Boggs LLP
8484 Westpark Drive, Suite 900
McLean, VA 22102



Ship Date: 10JUN04
Actual Wgt: 1 LB
System#: 5837782/INET1800
Account#: S *****

REF: 021617.0253C2US



Delivery Address Bar Code

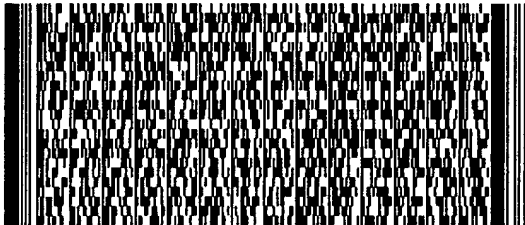
SHIP TO: (925)931-2727

BILL SENDER

Eitan Konstantino

29 Meadow Park Court

Orinda, CA 94563



STANDARD OVERNIGHT

FRI

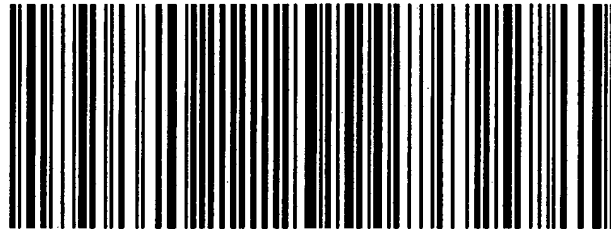
TRK# 7920 1936 3468

FORM
0201Deliver By:
11JUN04

OAK A2

94563 -CA-US
RES

XH CCRA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Patierno, Lisa

From: FedEx [donotreply@fedex.com]
Sent: Friday, June 11, 2004 4:05 PM
To: Patierno, Lisa
Subject: FedEx shipment 792019363468

Our records indicate that the shipment sent from Michele V. Frank/Patton Boggs LLP to Eitan Konstantino has been delivered.
The package was delivered on 06/11/2004 at 12:46 PM and signed for or released by 11632895.

The ship date of the shipment was 06/10/2004.

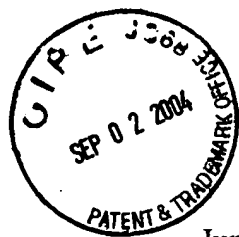
The tracking number of this shipment was 792019363468.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:
http://www.fedex.com/cgi-bin/tracking?tracknumbers=792019363468&action=track&language=english&cntry_code=us

Disclaimer

FedEx has not validated the authenticity of any email address.



June 10, 2004

8484 Westpark Drive
Suite 900
McLean, VA 22102-5117
703-744-8000

Facsimile 703-744-8001
www.pattonboggs.com

Michele V. Frank
(703) 744-7907
mfrank@pattonboggs.com

Practice Limited To Matters Before Federal
Courts and the United States Patent and
Trademark Office.

VIA DHL – SIGNATURE REQUIRED

Tanhum Feld
Moshav Merhavia
19105 Israel

Re: U.S. Application No. 10/802,036
Entitled: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
Our Ref: 021617.0253C2US

Dear Mr. Feld:

We are writing to you on behalf of Advanced Stent Technologies with regard to the execution of certain formal papers in connection with the prosecution of the above-identified US Patent Application. This application is a continuation-in-part of, among other applications, U.S. Application No. 10/644,550, for which we previously requested your execution of certain documents. To date, we have not received those executed documents from you.

Accordingly, attached is a copy of U.S. Patent Application Serial No. 10/802,036, as filed. We are presented with a deadline of **August 4, 2004** for filing executed copies of the attached documents with the U.S. Patent and Trademark Office. Alternatively, Advanced Stent Technologies can proceed with the prosecution of the Application despite your refusal to sign the formal papers.

Please review, sign and date the attached documents and return them directly to me at the above-indicated address no later than **July 26, 2004**. Failure to do so would be construed as an express refusal to sign the formal papers, and Advanced Stent Technologies will take the appropriate measures to proceed with the prosecution of the above-identified patent applications without your participation.

3638746v1



Tanhum Feld
June 10, 2004
Page 2

Should you have any questions or comments with regard to the above, please do not hesitate to contact us.

Best regards,

A handwritten signature in dark ink, appearing to read 'Michele V. Frank', with a long, sweeping horizontal stroke at the end.

Michele V. Frank, Esq.

MVF/:ljp
Enclosures

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

(Attorney Docket No. 021617.0253C2US)

the specification of which (check one)

 is attached hereto.

 X was filed on March 17, 2004, as United States Application Number or PCT International Application Number 10/802,036 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's

certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US99/00835	WO	January 13, 1999	yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number.	Filing Date
60/487,226	July 16, 2003
60/488,006	July 18, 2003
60/404,756	August 21, 2002

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
10/705,247		November 12, 2003	
10/644,550		August 21, 2003	
10/440,401		May 19, 2003	
09/963,114		September 24, 2001	
09/750,372		December 27, 2000	6,599,316
09/668,687		September 22, 2000	
09/326,445		June 4, 1999	6,325,826
09/007,265		January 14, 1998	6,210,429
08/744,002		November 4, 1996	

I HEREBY APPOINT the registered attorneys and agents at Customer Number 32042 to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michele V. Frank
 Patton Boggs LLP
 Customer Number: 32042

Telephone: (703) 744 7907
 Facsimile: (703) 744 8001

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Charles J. Davidson
Residence	1131 Sunview Lane, Winnetka, Illinois 60093
Citizenship	United States
Post Office Address	1131 Sunview Lane, Winnetka, Illinois 60093
Inventor's signature	
Date	
Name of second inventor	Gil M. Vardi
Residence	14203 Stifel Lane Court, Town and Country, Missouri 63017
Citizenship	United States
Post Office Address	14203 Stifel Lane Court, Town and Country, Missouri 63017
Inventor's signature	
Date	
Name of third inventor	Eric Williams
Residence	2068 Davis Drive, Fairfield, California 94533
Citizenship	United States
Post Office Address	2068 Davis Drive, Fairfield, California 94533
Inventor's signature	
Date	

Name of fourth inventor	Amnon Yadin
Residence	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Citizenship	Israel
Post Office Address	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Inventor's signature	
Date	
 Name of fifth inventor	 Yossi Morik
Residence	100 East Huron 1102-1103, Chicago, IL 60611
Citizenship	United States
Post Office Address	100 East Huron 1102-1103, Chicago, IL 60611
Inventor's signature	
Date	
 Name of sixth inventor	 Eitan Konstantino
Residence	29 Meadow Park Court, Orinda, CA 94563
Citizenship	Israel
Post Office Address	29 Meadow Park Court, Orinda, CA 94563
Inventor's signature	
Date	
 Name of seventh inventor	 Tanhum Feld
Residence	Moshav Merhavia, 19105 Israel
Citizenship	Israel
Post Office Address	Moshav Merhavia, 19105 Israel
Inventor's signature	
Date	

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on March 17, 2004, (Application No. 10/802,036); and

WHEREAS Advanced Stent Technologies, Inc., a corporation of Delaware, whose post office address is 6900 Koll Center Parkway, Suite 415, Pleasanton, California 94566 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention, including the right to recover for past infringement, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____

State of _____

SS.

Subscribed and sworn to before me
this _____ day of _____, 2004.

Notary Public

Charles J. Davidson

Full Name of Sole or First Assignor

1131 Sunview Lane, Winnetka, Illinois 60093

Address

First Assignor's Signature

Date

Names of additional inventors attached ☒ Yes ☐ No

County of _____

State of _____

Gil M. Vardi
Full Name Second Assignor

SS.

14203 Stifel Lane Court, Town and Country, Missouri 63017
Address

Subscribed and sworn to before me
this ____ day of _____, 2004.

Second Assignor's Signature

Notary Public

Date

County of _____

State of _____

Eric Williams
Full Name Third Assignor

SS.

2068 Davis Drive, Fairfield, California 94533
Address

Subscribed and sworn to before me
this ____ day of _____, 2004.

Third Assignor's Signature

Notary Public

Date

County of _____

State of _____

Amnon Yadin
Full Name Fourth Assignor

SS.

5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Address

Subscribed and sworn to before me
this ____ day of _____, 2004.

Fourth Assignor's Signature

Notary Public

Date

County of _____

State of _____

SS.

Subscribed and sworn to before me
this ____ day of _____, 2004.

Notary Public

Yossi Morik

Full Name Fifth Assignor

100 East Huron 1102-1103, Chicago, IL 60611

Address

Fifth Assignor's Signature

Date

County of _____

State of _____

SS.

Subscribed and sworn to before me
this ____ day of _____, 2004.

Notary Public

Eitan Konstantino

Full Name Sixth Assignor

29 Meadows Park Court, Orinda, California 94563

Address

Sixth Assignor's Signature

Date

County of _____

State of _____

SS.

Subscribed and sworn to before me
this ____ day of _____, 2004.

Notary Public

Tanhum Feld

Full Name Seventh Assignor

Moshav Merhavia, 19105 Israel

Address

Seventh Assignor's Signature

Date

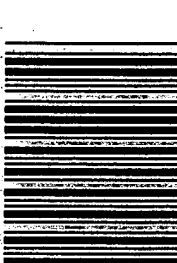


Shipment Airwaybill
1-800-CALL-DHL (Non negotiable)
In USA only
WEB ADDRESS: <http://www.dhl.com>

7558973682

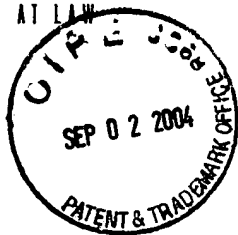
Quote this shipment number in an inquiry

1 From (Shipper)		Shipper's reference	
Account no.		757410909 081617.025302US	
Company name		Patton Boggs LLP	
Shipper's name		Michele V. Frank	
Address		8484 Westpark Drive, 4th Floor McLean, VA	
Zip code (required)		(Phone/Fax/E-mail circle one (required)) 22102 703-744-7907	
2 Recipient)		Cc's name	
Attention:		Tanburn Feld	
Delivery address		Mookay Menhavia Israel	
Zip/Postcode (required)		(Phone/Fax/E-mail circle one (required)) 19105 +972-52-256257	
5 Shipper's authorization and signature			
<p>We agree that DHL's standard terms apply to this shipment and limit DHL's liability for loss or damage to U.S. \$100. The Warsaw Convention may also apply (see reverse). We authorize DHL to complete other documents necessary to export this shipment. We understand that insurance is available on request, for an extra charge. We agree to pay all charges if the recipient or third party does not pay. We understand that DHL DOES NOT TRANSPORT CASH.</p> <p>Signature (required) <i>Michele V. Frank</i> Date <i>6/10/04</i></p>			

		755 897.3-582	
3 Shipment details			
Domestic Services <input type="checkbox"/> USA OVERNIGHT International Services <input checked="" type="checkbox"/> INT'L DOCUMENT EXPRESS <input checked="" type="checkbox"/> WORLDWIDE PRIORITY EXPRESS <small>Non document shipments/unlimited weight</small> <input type="checkbox"/> WORLDWIDEIGHT <small>Post airfreight required / 2200g Minimum</small> Worldmail Services <input type="checkbox"/> APN <input type="checkbox"/> 2nd <input type="checkbox"/> RP <input type="checkbox"/> ISL Special Services <small>extra charges may apply</small> <input type="checkbox"/> SAT/DMA/EN <input type="checkbox"/> POD <small>Shipper's liability for POD (optional)</small> <input type="checkbox"/> OTHER		Payment Options not all options available to all countries <input checked="" type="checkbox"/> Shipper's account <input type="checkbox"/> Recipient <input type="checkbox"/> Third party Acct. No. <input type="checkbox"/> Cash / Check / Credit Card <small>date one</small> No. <input type="checkbox"/> Expires Type Shipment insurance <small>if desired, enter amount below</small> US \$ Insured value	
Full description of contents <div style="font-size: 2em; text-align: center; margin-top: 20px;">Legal Documents</div>		International non document shipments only Attach original and four copies of a Commercial Invoice Declare value for customs (in US \$) Export License No./Symbol (if applicable)	
Harmonized Sched. B No. (if applicable) Shipper's EIN/SSN		Type of export <small>If air blank, Permanent is assumed</small> <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary <input type="checkbox"/> Repair/Return These commodities, technology or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to U.S. law prohibited. Destination duties/taxes if left blank recipient pays duties/taxes <input type="checkbox"/> Recipient <input type="checkbox"/> Shipper <input type="checkbox"/> Other <small>Specify destination approved account number</small>	

4 Pcs/Weight/Size No. of pieces <u>1</u>	
Weight if DHL Express Document packaging is used, enter XD _____	
Dimensions in inches ① _____ ② _____ ③ _____ Pieces length width height	
DIMENSIONAL CHARGED WEIGHT _____	
CODES	CHARGES Services _____ Special services _____ Insurance _____
Drop Box Exp. Center _____ # _____ TOTAL _____ TRANSPORT COLLECT STICKER NO. _____	PICKED UP BY _____ Time _____ Date _____

DHL WORLDWIDE EXPRESS • PO BOX 2821, SAN FRANCISCO, CA 94126-2821 Shipper's Copy



July 26, 2004

8484 Westpark Drive
Suite 900
McLean, VA 22102-5117
703-744-8000

Facsimile 703-744-8001
www.pattonboggs.com

Michele V. Frank
(703) 744-7907
mfrank@pattonboggs.com

Practice Limited To Matters Before Federal
Courts and the United States Patent and
Trademark Office

VIA FEDEX – SIGNATURE REQUIRED

Tanhum Feld
Moshav Merhavia
19105 Israel

Re: U.S. Application No. 10/802,036
Entitled: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
Our Ref: 021617.0253C2US

Dear Mr. Feld:

We are writing to you on behalf of Advanced Stent Technologies with regard to the execution of certain formal papers in connection with the prosecution of the above-identified US Patent Application. This application is a continuation-in-part of, among other applications, U.S. Application No. 10/644,550, for which we previously requested your execution of certain documents. To date, we have not received those executed documents from you.

Accordingly, attached is a copy of U.S. Patent Application Serial No. 10/802,036, as filed. We are presented with an initial deadline of **August 4, 2004** for filing executed copies of the attached documents with the U.S. Patent and Trademark Office. Alternatively, Advanced Stent Technologies can proceed with the prosecution of the Application despite your refusal to sign the formal papers.

Please review, sign and date the attached documents and return them directly to me at the above-indicated address no later than **September 1, 2004**. Failure to do so would be construed as an express refusal to sign the formal papers, and Advanced Stent Technologies will take the appropriate measures to proceed with the prosecution of the above-identified patent applications without your participation.



Tanhum Feld
July 26, 2004
Page 2

Should you have any questions or comments with regard to the above, please do not hesitate to contact us.

Best regards,

A handwritten signature in dark ink, appearing to read 'Michele V. Frank', with a long horizontal stroke extending to the right.

Michele V. Frank, Esq.

MVF:ljp
Enclosures

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

(Attorney Docket No. 021617.0253C2US)

the specification of which (check one)

 is attached hereto.

 X was filed on March 17, 2004, as United States Application Number or PCT International Application Number 10/802,036 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's

certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US99/00835	WO	January 13, 1999	yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/487,226	July 16, 2003
60/488,006	July 18, 2003
60/404,756	August 21, 2002

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
10/705,247		November 12, 2003	
10/644,550		August 21, 2003	
10/440,401		May 19, 2003	
09/963,114		September 24, 2001	
09/750,372		December 27, 2000	6,599,316
09/668,687		September 22, 2000	
09/326,445		June 4, 1999	6,325,826
09/007,265		January 14, 1998	6,210,429
08/744,002		November 4, 1996	

I HEREBY APPOINT the registered attorneys and agents at Customer Number 32042 to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michele V. Frank
Patton Boggs LLP
Customer Number: 32042

Telephone: (703) 744 7907
Facsimile: (703) 744 8001

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Charles J. Davidson
Residence	1131 Sunview Lane, Winnetka, Illinois 60093
Citizenship	United States
Post Office Address	1131 Sunview Lane, Winnetka, Illinois 60093
Inventor's signature	
Date	
Name of second inventor	Gil M. Vardi
Residence	14203 Stifel Lane Court, Town and Country, Missouri 63017
Citizenship	United States
Post Office Address	14203 Stifel Lane Court, Town and Country, Missouri 63017
Inventor's signature	
Date	
Name of third inventor	Eric Williams
Residence	2068 Davis Drive, Fairfield, California 94533
Citizenship	United States
Post Office Address	2068 Davis Drive, Fairfield, California 94533
Inventor's signature	
Date	

Name of fourth inventor	Amnon Yadin
Residence	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Citizenship	Israel
Post Office Address	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Inventor's signature	
Date	
Name of fifth inventor	Yossi Morik
Residence	100 East Huron 1102-1103, Chicago, IL 60611
Citizenship	United States
Post Office Address	100 East Huron 1102-1103, Chicago, IL 60611
Inventor's signature	
Date	
Name of sixth inventor	Eitan Konstantino
Residence	29 Meadow Park Court, Orinda, CA 94563
Citizenship	Israel
Post Office Address	29 Meadow Park Court, Orinda, CA 94563
Inventor's signature	
Date	
Name of seventh inventor	Tanhum Feld
Residence	Moshav Merhavia, 19105 Israel
Citizenship	Israel
Post Office Address	Moshav Merhavia, 19105 Israel
Inventor's signature	
Date	

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on March 17, 2004, (Application No. 10/802,036); and

WHEREAS Advanced Stent Technologies, Inc., a corporation of Delaware, whose post office address is 6900 Koll Center Parkway, Suite 415, Pleasanton, California 94566 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention, including the right to recover for past infringement, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____

State of _____

SS.

Subscribed and sworn to before me
this _____ day of _____, 2004.

Notary Public

Charles J. Davidson

Full Name of Sole or First Assignor

1131 Sunview Lane, Winnetka, Illinois 60093

Address

First Assignor's Signature

Date

Names of additional inventors attached ☒ Yes ☐ No

<p>County of _____</p> <p>State of _____</p> <p>Subscribed and sworn to before me this __ day of _____, 2004.</p> <p>_____ Notary Public</p>	SS.	<p style="text-align: center;"><u>Gil M. Vardi</u> Full Name Second Assignor</p> <p style="text-align: center;"><u>14203 Stifel Lane Court, Town and Country, Missouri 63017</u> Address</p> <p style="text-align: center;">_____ Second Assignor's Signature</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
<p>County of _____</p> <p>State of _____</p> <p>Subscribed and sworn to before me this __ day of _____, 2004.</p> <p>_____ Notary Public</p>	SS.	<p style="text-align: center;"><u>Eric Williams</u> Full Name Third Assignor</p> <p style="text-align: center;"><u>2068 Davis Drive, Fairfield, California 94533</u> Address</p> <p style="text-align: center;">_____ Third Assignor's Signature</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
<p>County of _____</p> <p>State of _____</p> <p>Subscribed and sworn to before me this __ day of _____, 2004.</p> <p>_____ Notary Public</p>	SS.	<p style="text-align: center;"><u>Amnon Yadin</u> Full Name Fourth Assignor</p> <p style="text-align: center;"><u>5748 Owens Drive, Apt. 207, Pleasanton, California 94588</u> Address</p> <p style="text-align: center;">_____ Fourth Assignor's Signature</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>

From: Origin ID: FRRR (703) 744-7907
 Michele V. Frank
 Patton Boggs LLP
 8484 Westpark Drive, Suite 900



Ship Date: 26JUL04
 Actual Wgt: 1 LB
 System#: 5837782/INET1850
 Account#: S *****

Total Weight: 1 LB

McLean, VA 22102
 UNITED STATES

SHIP TO: 9725225627

BILL SENDER

Tanhum Feld

Moshav Merhavia

19105 Israel

Moshav Merhavia, 19105

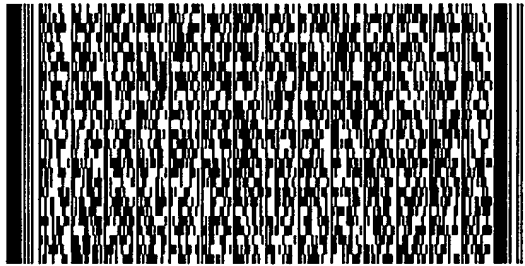
ISRAEL IL

REF: 021617.0253C2US
 DESC-1: Legal documents
 DESC-2:
 DESC-3:
 DESC-4:
 SED: NDR30.55(h)
 COUNTRY MFG:
 CARRIAGE VALUE: 0.00 USD
 CUSTOMS VALUE: 0.00 USD
 T/C: S 247943714 D/T: S 247943714
 SIGN: Michele V. Frank
 EIN/VAT:

IP ENVELOPE

TRK# 7902 1874 2607 FORM 0430

19105 --IL



These commodities, technology, or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to United States law prohibited.
 The Warsaw Convention may apply and will govern and in most cases limit the liability of Federal Express for loss or delay of or damage to your shipment. Subject to the conditions of the contract.

CONSIGNEE COPY - PLEASE PLACE IN POUCH

Shipping Label: Your shipment is complete This shipping label constitutes the air waybill for this shipment.

1. Use the "Print" feature from your browser to send this page to your laser or inkjet printer. Fold the printed page along the horizontal line.

2. Place 2 originals of the shipping label in the pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional charges, along with the cancellation of your FedEx account number.

LEGAL TERMS AND CONDITIONS OF FEDEX SHIPPING DEFINITIONS. On this Air Waybill, "we", "our", "us", and "FedEx" refer to Federal Express Corporation, its subsidiaries and branches and their respective employees, agents, and independent contractors. The terms "you" and "your" refer to the shipper, its employees, principals and agents. If your shipment originates outside the United States, your contract of carriage is with the FedEx subsidiary, branch or independent contractor who originally accepts the shipment from you. The term "package" means any container or envelope that is accepted by us for delivery, including any such items tendered by you utilizing our automated systems, meters, manifests or waybills. The term "shipment" means all packages which are tendered to and accepted by us on a single Air Waybill. **AIR CARRIAGE NOTICE.** For any international shipments by air, the Warsaw Convention, as amended, may be applicable. The Warsaw Convention, as amended, will then govern and in most cases limit FedEx's liability for loss, delay of, or damage to your shipment. The Warsaw Convention, as amended, limits FedEx's liability. For example in the U.S. liability is limited to \$9.07 per pound (20\$ per kilogram), unless a higher value for carriage is declared as described below and you pay any applicable supplementary charges. The interpretation and operation of the Warsaw Convention's liability limits may vary in each country. There are no specific stopping places which are agreed to and FedEx reserves the right to route the shipment in any way FedEx deems appropriate. **ROAD TRANSPORT NOTICE.** Shipments transported solely by road to or from a country which is a party to the Warsaw Convention or the Contract for the International Carriage of Goods by Road (the "CMR") are subject to the terms and conditions of the CMR, notwithstanding any other provision of this Air Waybill to the contrary. For those shipments transported solely by road, if a conflict arises between the provisions of the CMR and this Air Waybill, the terms of the CMR shall prevail. **LIMITATION OF LIABILITY.** If not governed by the Warsaw Convention, the CMR, or other international treaties, laws, other government regulations, orders, or requirements, FedEx's maximum liability for damage, loss, delay, shortage, misdelivery, nondelivery, misinformation or failure to provide information in connection with your shipment is limited by this Agreement and as set out in the terms and conditions of the contract of carriage. Please refer to the contract of carriage set forth in the applicable FedEx Service Guide or its equivalent to determine the contractual limitation. FedEx does not provide cargo liability or all-risk insurance, but you may an additional charge for each additional U.S. \$100 (or equivalent local currency for the country of origin) of declared value for carriage. If a higher value for carriage is declared and the additional charge is paid, FedEx's maximum liability will be the lesser of the declared value for carriage or your actual damages. **LIABILITIES NOT ASSUMED.** IN ANY EVENT, FEDEX WON'T BE LIABLE FOR ANY DAMAGES, WHETHER DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL IN EXCESS OF THE DECLARED VALUE FOR CARRIAGE (INCLUDING BUT NOT LIMITED TO LOSS OF INCOME OR PROFITS) OR THE ACTUAL VALUE OF THE SHIPMENT, IF LOWER, WHETHER OR NOT FEDEX HAD ANY KNOWLEDGE THAT SUCH DAMAGES MIGHT BE INCURRED. FedEx won't be liable for your acts or omissions, including but not limited to incorrect declaration of cargo, improper or insufficient packaging, securing, marking or addressing of the shipment, or for the acts or omissions of the recipient or anyone else with an interest in the shipment or violations by any party of the terms of this agreement. FedEx won't be liable for damage, loss, delay, shortage, misdelivery, nondelivery, misinformation or failure to provide information in connection with shipments of cash, currency or other prohibited items or in instances beyond our control, such as acts of God, perils of the air, weather conditions, mechanical delays, acts of public enemies, war, strike, civil commotion, or acts or omissions of public authorities (including customs and health officials) with actual or apparent authority. **NO WARRANTY.** We make no warranties, express or implied. **CLAIMS FOR LOSS, DAMAGE OR DELAY.** ALL CLAIMS MUST BE MADE IN WRITING AND WITHIN STRICT TIME LIMITS. SEE OUR TARIFF, APPLICABLE FEDEX SERVICE GUIDE, OR STANDARD CONDITIONS OF CARRIAGE FOR DETAILS. The Warsaw Convention provides specific written claims procedures for damage, delay or non-delivery of your shipment. Moreover, the interpretation and operation of the Warsaw Convention's claims provisions may vary in each country. Refer to the Convention to determine the claims period for your shipment. The right to damages against us shall be extinguished unless an action is brought within two years, as set forth in the Convention. FedEx is not obligated to act on any claim until all transportation charges have been paid. The claim amount may not be deducted from the transportation charges. If the recipient accepts the shipment without noting any damage on the delivery record, FedEx will assume the shipment was delivered in good condition. In order for us to consider a claim for damage, the contents, original shipping carton and packing must be made available to us for inspection. **MANDATORY LAW.** Insofar as any provision contained or referred to in this Air Waybill may be contrary to any applicable international treaties, laws, government regulations, orders or requirements such provisions shall remain in effect as a part of our agreement to the extent that it is not overridden. The invalidity or unenforceability of any provisions shall not affect any other part of this Air Waybill. Unless otherwise indicated, **FEDERAL EXPRESS CORPORATION**, 2005 Corporate Avenue, Memphis, TN 38132, USA, is the first carrier of this shipment. Email address located at www.fedex.com.

[United States Home](#)[Information Center](#) | [Custom](#)[Package / Envelope Services](#)[Office / Print Services](#)[Freight Services](#)[Expedited Serv](#)[Ship](#)[Track](#)[Manage My Account](#)[International Tools](#)Track Shipments
Detailed Results [Printable Version](#) [Quick Help](#)

Tracking number 790218742607
 Signed for by T..PELED
 Ship date Jul 26, 2004
 Delivery date/time Jul 29, 2004 3:25 pm

Reference number 021617.0253C2US
 Delivered to Receipt/Fmt desk
 Delivery location MOSHAV MERHAVIA IL
 Service type Priority Envelope

You can also track:

- [By Alternate](#)
- [By Email](#)
- [TCN \(Gov't](#)

Track other FedEx

- [FedEx Cust shipments](#)
- [FedEx Trad shipments](#)
- [Internationa](#)

Date/Time	Status	Location	Comments
Jul 29, 2004 3:25 pm	Delivered	MOSHAV MERHAVIA IL	
Jul 28, 2004 12:21 pm	Package status	PETAH TIQWA IL	Package at station - awaiting courier
7:53 am	Arrived at FedEx Ramp	LOD IL	
7:26 am	Package status	PETAH TIQWA IL	Released for Delivery
7:26 am	Package status	PETAH TIQWA IL	Regulatory Agency Clearance Delay
7:26 am	Package status	PETAH TIQWA IL	Package available for clearance
Jul 27, 2004 4:44 pm	Arrived at FedEx Ramp	ROISSY FR	
3:52 am	Left FedEx Sort Facility	MEMPHIS TN	
1:02 am	Left FedEx Sort Facility	MEMPHIS TN	
12:56 am	Left FedEx Sort Facility	MEMPHIS TN	
Jul 26, 2004 9:46 pm	Arrived at FedEx Ramp	DULLES VA	
9:09 pm	Left FedEx Origin Location	WEST SPRINGFIELD VA	

[Wrong Address?](#)
 Reduce future mistal
[FedEx Address Che](#)

[Shipping Freight?](#)
 FedEx has [LTL](#), [air surface](#) and [air exp](#)
[multi piece package](#)
 and [ocean freight](#).

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

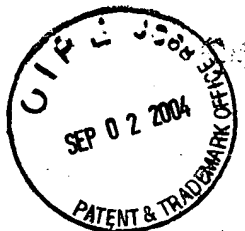
From
 To

Add a message to this email.

[Send email](#)

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx



Attorney Docket No. 021617.0253PTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: 3731

Application No.: 10/644,550

Examiner: Unassigned

Filed: August 21, 2003

Title: STENT WITH PROTRUDING BRANCH
PORTION FOR BIFURCATED VESSELS

PETITION UNDER 37 C.F.R. §1.47

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants respectfully petition, pursuant to 37 C.F.R. § 1.47, to accept the present application as being filed on behalf of the non-signing inventors.

OATH OR DECLARATION BY ALL AVAILABLE INVENTORS

Applicants submit herewith a copy of the September 17, 2003 Notice to File Missing Parts along with a declaration executed by all available inventors who were willing to sign.

IDENTIFICATION OF NON-SIGNING INVENTORS & LAST KNOWN ADDRESSES

Both Eitan Konstantino and Tanhum Feld are named inventors, and have refused to join the present application by signing of the declaration. Their last known address information is as follows:

Eitan Konstantino
29 Meadows Park Court
Orinda, CA 94563

Tanhum Feld
Moshav Merhavia
19105 Israel

PROOF OF UNAVAILABILITY OR REFUSAL

Applicants submit herewith the Declarations of Marta Soto and Michele V. Frank in support of this petition. It is respectfully submitted that the Declarations and Exhibits attached thereto establish: (i) Eitan Konstantino and Tanhum Feld were presented with the application and declaration; (ii) were requested to join in the application by executing the declaration; and (iii) the conduct of Eitan Konstantino and Tanhum Feld constitutes a refusal to join in the application.

RELIEF REQUESTED & CONCLUSION

In light of the above, Applicants request that the present application be accepted as complete. To the extent that it is determined that relief is inappropriate pursuant to 37 C.F.R. § 1.47, Applicants hereby request that this petition be considered under to 37 C.F.R. § 1.181 and/or § 1.183.

The petition fee pursuant to 37 C.F.R. § 1.17(h) is submitted herewith.

Should this petition be considered insufficient, or the relief requested not be granted for any reason, Applicants respectfully request that this be considered a *bona fide* attempt to respond

to the Notice to File Missing Parts of September 17, 2003, and that Applicants be permitted an opportunity to supplement this response.

Respectfully submitted,

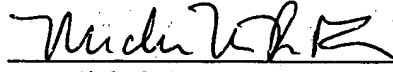
Date March 17, 2004

PATTON BOGGS LLP

Customer Number: 32042

Telephone: (703) 744-7907

Facsimile: (703) 744-8001

By 
Michele Van Patten Frank
Attorney for Applicant
Registration No. 37,028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: Unassigned

Application No.: 09/390,026

Examiner: Unassigned

Filed: August 21, 2003

Title: STENT WITH PROTRUDING BRANCH
PORTION FOR BIFURCATED VESSELS

DECLARATION OF FACTS IN SUPPORT OF §1.47 PETITION

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

My name is Marta Soto. I am currently employed by Advanced Stent Technologies, Inc. as an Executive Assistant.

On November 6, 2003 I forwarded unexecuted declaration and assignment documents associated with the above-identified patent application to the last known address of both Eitan Konstantino and Tanhum Feld via U.S. Mail.

On November 25, 2003 and November 26, 2003 I received e-mail messages from both Eitan Konstantino and Tanhum Feld, respectively, acknowledging receipt of the documents and requesting a copy of the above-identified application (Exhibit #1).

On December 1, 2003 I replied to Eitan Konstantino by e-mail and attached a copy of the patent application to my message (Exhibit #1).

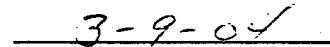
On December 18, 2003 I again sent declaration and assignment documents to Eitan Konstantino and Tanhum Feld via United Parcel Service (Exhibit #2).

As of the current date, to the best of my knowledge, neither Eitan Konstantino nor Tanhum Feld has returned an executed declaration or assignment.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

A handwritten signature in cursive script, appearing to read 'Marta Soto', is written over a horizontal line.

Marta Soto

The date '3-9-04' is handwritten in a simple, bold style over a horizontal line.

Date

Marta Soto

From: Marta Soto
Sent: Friday, January 09, 2004 11:16 AM
To: Jerry Caulder; Eric Williams; Jay Brumfield
Subject: FW: Patent paperwork

On November 6 I sent Eitan and Tanhum a copy of a Declaration and Power of Attorney and an Assignment. I interacted through email since then, but never received the documents back. If there are outstanding issues, I don't know about them.

My responsibility is to get the signatures of the inventors as requested by Michele Frank and the paperwork back to her office. I believe this matter is for higher authority. Please advise me on as to what action I should take.

Thanks
Marta

-----Original Message-----

From: Eitan Konstantino [mailto:konsta@comcast.net]
Sent: Friday, January 09, 2004 10:20 AM
To: 'Marta Soto'
Cc: Tanhum
Subject: RE: Patent paperwork

Dear Marta

I am writing on behalf of Tanhum and myself.

We are open to sign the patent application documents that you have mailed us. This shall be done in conjunction with a resolution of all the outstanding issues between us and AST including a mutual release agreement.

Best regards

Eitan Konstantino
Tanhum Feld.

Eitan Konstantino, PhD

President
AngioScore Inc.
965 Atlantic Ave #101
Alameda, CA 94501
PH 510 263 0480 x 103
FX 510 263 0481

-----Original Message-----

From: Marta Soto [mailto:msoto@Advancedstent.com]
Sent: Monday, December 01, 2003 10:10 AM
To: 'konsta@comcast.net'
Subject: RE: Patent paperwork

Hi Eitan,

1/14/2004

I received by mail some paperwork from you regarding a patent that I invented. I have not received the application itself. Please forward the application to me in order to review the material that you want me to sign

Regards

Eitan Konstantino

Marta Soto

From: Eitan Konstantino [konsta@comcast.net]
Sent: Friday, January 09, 2004 10:20 AM
To: 'Marta Soto'
Cc: Tanhum
Subject: RE: Patent paperwork

Dear Marta

I am writing on behalf of Tanhum and myself.
We are open to sign the patent application documents that you have mailed us. This shall be done in conjunction with a resolution of all the outstanding issues between us and AST including a mutual release agreement.

Best regards

Eitan Konstantino
Tanhum Feld.

Eitan Konstantino, PhD
President
AngioScore Inc.
965 Atlantic Ave #101
Alameda, CA 94501
PH 510 263 0480 x 103
FX 510 263 0481

-----Original Message-----

From: Marta Soto [mailto:msoto@Advancedstent.com]
Sent: Monday, December 01, 2003 10:10 AM
To: 'konsta@comcast.net'
Subject: RE: Patent paperwork

Hi Eitan,

Okay, I have attached a soft copy for you. I can also send you a hard copy if you wish. Please let me know and I will put it into the mail today. Sorry I did not respond earlier. I have been gone for the Thanksgiving Holiday.

Sincerely,
Marta

-----Original Message-----

From: Eitan Konstantino [mailto:konsta@comcast.net]
Sent: Tuesday, November 25, 2003 4:43 PM
To: msoto@Advancedstent.com
Subject: Patent paperwork

Marta,

Okay, I have attached a soft copy for you. I can also send you a hard copy if you wish. Please let me know and I will put it into the mail today. Sorry I did not respond earlier. I have been gone for the Thanksgiving Holiday.

Sincerely,
Marta

-----Original Message-----

From: Eitan Konstantino [mailto:konsta@comcast.net]
Sent: Tuesday, November 25, 2003 4:43 PM
To: msoto@Advancedstent.com
Subject: Patent paperwork

Marta,

I received by mail some paperwork from you regarding a patent that I invented. I have not received the application itself. Please forward the application to me in order to review the material that you want me to sign

Regards

Eitan Konstantino

Marta Soto

From: Marta Soto
Sent: Monday, December 01, 2003 10:05 AM
To: 'tanhum feld'
Subject: RE: Documents for signing

Hi Tanhum,

Thank you for emailing me because I had no way of contacting you, other than mail. I have attached the soft copy of the patent application and if you wish I can also send you a hard copy. Please let me know. Hope all is well. Please tell your wife I said hi.

Sincerely
Marta

P.S. If you happen to see Michal tell her I still think of her.

-----Original Message-----

From: tanhum feld [mailto:tfeld@012.net.il]
Sent: Wednesday, November 26, 2003 5:10 PM
To: msoto@Advancedstent.com
Subject: Documents for signing

Dear Marta,

How are you? I hope you are doing well.

I received the documents you sent.
Please send me the referenced patent application so I will know what you want me to sign.

Best regards,
Tanhum Feld

Marta Soto

From: Marta Soto
Sent: Thursday, December 18, 2003 2:04 PM
To: 'tanhum feld'
Cc: Eric Williams
Subject: RE: Documents for signing

Hi Tanhum,

I have sent you the referenced patent application but I have not received the signed notarized document back. Can you please send it so I can forward to the patent office. If you have question please email me or call me. My direct number is 925-931-2732.

Thank you

Marta

-----Original Message-----

From: tanhum feld [mailto:tfeld@012.net.il]
Sent: Wednesday, November 26, 2003 5:10 PM
To: msoto@Advancedstent.com
Subject: Documents for signing

Dear Marta,

How are you? I hope you are doing well.

I received the documents you sent.

Please send me the referenced patent application so I will know what you want me to sign.

Best regards,
Tanhum Feld

Marta Soto

From: Eitan Konstantino [konsta@comcast.net]

Sent: Tuesday, November 25, 2003 4:43 PM

To: msoto@Advancedstent.com

Subject: Patent paperwork

Marta,

I received by mail some paperwork from you regarding a patent that I invented. I have not received the application itself. Please forward the application to me in order to review the material that you want me to sign

Regards

Eitan Konstantino

EXHIBIT 2

ups **UPS 2nd Day Air**
Shipping Document

See instructions on back. Call 1-800-PICK-UPS (800-742-5877) for additional information.

TRACKING NUMBER **1Z 6AT 510 37 1000 196 5**

1 SHIPMENT FROM
SHIPPER'S UPS ACCOUNT NO. **6AT510**
REFERENCE NUMBER

NAME **M. Soto** **925-931-9399**
COMPANY **AST ADVANCED STENT TECHNOLOGIE**

STREET ADDRESS **6900 KOLLER PKWY RM 415**
CITY AND STATE **PLEASANTON CA** ZIP CODE **94566-3105**

2 DELIVERY TO
NAME **Eitan Konstantian** TELEPHONE **925-931-2727**
COMPANY

STREET ADDRESS **29 Meadow Park Court** DEPT/FLR. **2**
CITY AND STATE **Orinda CA**



3 WEIGHT DIMENSIONAL WEIGHT
L 12 R

SHIPPER'S COPY 2

4 2ND DAY AIR CHARGE \$
5 OPTIONAL SERVICES
☐ SATURDAY PICKUP See instructions. \$
☐ INSURED VALUE Contents are automatically protected up to \$100. For insured value over \$100, see instructions. AMOUNT \$
☐ C.O.D. enter amount to be collected and attach completed UPS C.O.D. tag to package. AMOUNT \$
6 ADDITIONAL HANDLING CHARGE ☐ An Additional Handling Charge applies for certain items. See instructions. \$
TOTAL CHARGES \$

7 METHOD OF PAYMENT
☒ BILL SHIPPER ☐ BILL RECEIVER ☐ BILL THIRD PARTY ☐ CREDIT CARD ☐ American Express ☐ Diner's Club ☐ Discover ☐ MasterCard ☐ Visa ☐ CHECK
Record Account No. in Service Box

8 RECEIVERS/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. EXPIRATION DATE
THIRD PARTY'S COMPANY NAME

STREET ADDRESS
CITY AND STATE ZIP CODE

9 SHIPPER'S SIGNATURE **X-M Soto** DATE OF SHIPMENT **12/11/03**

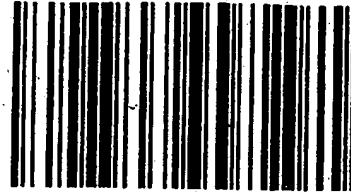
0201911252609 11/00 W

INSTRUCTIONS ON BACK

SHIPPER'S IDENTIFICATION NO. FOR CUSTOMER'S PURPOSES (F I U)	
B	
TELEPHONE NO. (Very Important)	
925-931-9990	
ADDRESS (Include ZIP Code)	
ED-STEINT-TECHNOLOGIE	
CTR-PKWAY-FLR-1-STE-415	
COUNTRY	
US	
COUNT NO.	
B	
TELEPHONE NO. (Very Important)	
Feld 972-52-886257	
ADDRESS (Include Postal Code)	
Feld	
Merhavva 19105 Israel	
COUNTRY	
Israel	
PAYMENT OF CHARGES	
FOB	C&F
DELIVERED DUTY PAID (VAT, UNPAID)	BILL DUTY, TAX AND SHIPPING CHARGES TO SHIPPER
OPTION ONLY	THIRD PARTY'S COMPANY NAME
THIRD PARTY'S COMPANY NAME	THIRD PARTY COUNTRY OR EXPIRATION DATE



UPS WORLDWIDE SERVICES
WAYBILL
(non-negotiable)



UPS Waybill / Tracking No. 4666 895 974 4

SERVICE LEVEL	
EXPRESS PLUS	1+
EXPRESS	1
EXPEDITED	2
STANDARD	
SHIPMENT INFORMATION	
A	B
C	D
LTR	PAK
10KG BOX	25KG BOX
OTHER	
Documents (Patents)	
E	
H	
REFERENCE NO. 1	
REFERENCE NO. 2	
COUNTRY OF ORIGIN (MANUFACTURE) OF GOODS	
USA	

Saturday Delivery	
(Apply orange Saturday Delivery routing label below Waybill)	
U.S. SHIPPER'S EXPORT DECLARATION (S E D)	
An S.E.D. is required when the value of any commodity is greater than \$500 U.S. or when an export license is required.	
Check here if S.E.D. is included with Export Documents	
Enter your A.S.E. reference if S.E.D. is electronically filed.	
Check here and complete section below if you want UPS to prepare an S.E.D. on your behalf	
HARMONIZED TARIFF CODE	ECOM - Export Commodity Control No.
LICENSE NUMBER & EXPIRATION DATE OR LICENSE EXCEPTION	
COUNTRY OF ULTIMATE DESTINATION	
Israel	
PARTIES TO TRANSACTION	RELATED
NON-RELATED	
DATE OF SHIPMENT	
SHIPPER'S SIGNATURE	
12/19/03	
Marta Loto	

SHIPPER'S COPY

FOR INTERNATIONAL INFORMATION OR ASSISTANCE CALL 1-800-782-7892



Attorney Docket No. 021617.0253PTUS

UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: Unassigned

Application No.: 10/644,550

Examiner: Unassigned

Filed: August 21, 2003

Title: STENT WITH PROTRUDING BRANCH
PORTION FOR BIFURCATED VESSELS

DECLARATION OF FACTS IN SUPPORT OF \$1.47 PETITION

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

My name is Michele V. Frank. I am an attorney of record in the above-identified patent application.

On February 10, 2004 I forwarded a copy of U.S. Patent Application Serial No. 10/644,550, as filed, along with unexecuted declaration and assignment documents associated with the above-identified patent application, and a cover letter, to the last known address of Eitan Konstantino via Federal Express (Exhibit #1).

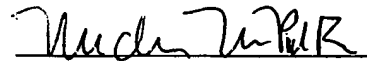
On February 10, 2004 I forwarded a copy of U.S. Patent Application Serial No. 10/644,550, as filed, along with unexecuted declaration and assignment documents associated with the above-identified patent application, and a cover letter, to the last known address of Tanhum Feld via Federal Express (Exhibit #2).

In the aforementioned cover letter, Mssrs. Konstantino and Feld were advised of the statutory final deadline for furnishing an executed declaration to the U.S. Patent and Trademark Office. Said letter further requested that the executed documents be provided by February 23,

2004 in order to provide sufficient time to prepare an appropriate response the Notice to File Missing Parts dated September 17, 2003. Mssrs. Konstantino and Feld were also advised that failure to return executed documents by February 23, 2004 would be construed as an express refusal to sign these documents.

As of the current date, to the best of my knowledge, neither Eitan Konstantino nor Tanhum Feld has returned an executed declaration or assignment for the present application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.



Michele V. Frank

3.17.04

Date

EXHIBIT 1



8484 Westpark Drive
Suite 900
McLean, VA 22102-5117
703-744-8000

Facsimile 703-744-8000
www.pattonboggs.com

February 10, 2004

Michele V. Frank
(703) 744-7907
mfrank@pattonboggs.com

Practice Limited To Matters Before Federal
Courts and the United States Patent and
Trademark Office

VIA FEDERAL EXPRESS WITH SIGNATURE

Eitan Konstantino
29 Meadows Park Court
Orinda, CA 94563

Re: U.S. Application No. 10/644,550 and PCT/US03/26743
Entitled: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
Our Ref: 021617.0253PTUS

Dear Mr. Konstantino:

We are writing to you on behalf of Advanced Stent Technologies with regard to the execution of certain formal papers in connection with the prosecution of the above-identified PCT and US Patent Applications.

More particularly, attached is a copy of International Application PCT/US03/26743 as filed, as well as a Power of Attorney, authorizing prosecution of this application by the indicated representative.

Also attached is a copy of U.S. Patent Application Serial No. 10/644,550, as filed, as well as updated Declaration and Assignment documents associated therewith. Please note that both the Power of Attorney and Declaration and Assignment documents have been prepared using the most recent address information available to us.

With respect to U.S. Patent Application Serial No. 10/644,550, we are presented with a final deadline of **March 17, 2004** for filing executed copies of the attached documents with the U.S. Patent and Trademark Office. Alternatively, Advanced Stent Technologies can proceed with the prosecution of the Application despite your refusal to sign the formal papers.

Please review, sign and date the attached documents and return them directly to me at the above-indicated address no later than **February 23, 2004**. Failure to do so would be construed as an express refusal to sign the formal papers, and Advanced Stent Technologies



Eitan Konstantino
February 10, 2004
Page 2

will take the appropriate measures to proceed with the prosecution of the above-identified patent applications without your participation.

Should you have any questions or comments with regard to the above, please do not hesitate to contact us.

Best regards,

A handwritten signature in black ink, appearing to read 'Michele V. Frank', with a stylized flourish at the end.

Michele V. Frank, Esq.

MVF:SWC:cdw

Enclosures

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

(Attorney Docket No. 21617.290)

the specification of which (check one)

 is attached hereto.

 X was filed on August 21, 2003, as United States Application Number or PCT International Application Number 10/644,550 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America,

listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US99/00835	PCT	January 13, 1999	Yes	No

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/487,226	July 16, 2003
60/488,006	July 18, 2003
60/404,756	August 21, 2003

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/668,687		September 22, 2000	
09/326,445		June 4, 1999	6,325,826
10/440,401		May 19, 2003	
09/750,372		December 27, 2000	6,599,316
09/963,114		September 24, 2001	
09/007,265		January 14, 1998	6,210,429
08/744,002		November 4, 1996	

I HEREBY APPOINT the registered attorneys and agents at Customer Number 32042 to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michele V. Frank
Patton Boggs LLP
Customer Number: 32042

Telephone: (703) 744 9707
Facsimile: (703) 744 8001

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Charles J. Davidson
Residence	1131 Sunview Lane, Winnetka, Illinois 60093
Citizenship	United States
Post Office Address	1131 Sunview Lane, Winnetka, Illinois 60093
Inventor's signature	
Date	
Name of second inventor	Gil M. Vardi
Residence	14203 Stifel Lane Court, Town and Country, Missouri 63017
Citizenship	United States
Post Office Address	14203 Stifel Lane Court, Town and Country, Missouri 63017
Inventor's signature	
Date	
Name of third inventor	Eric Williams
Residence	2068 Davis Drive, Fairfield, California 94533
Citizenship	United States
Post Office Address	2068 Davis Drive, Fairfield, California 94533
Inventor's signature	
Date	

Name of fourth inventor	Amnon Yadin
Residence	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Citizenship	Israel
Post Office Address	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Inventor's signature	
Date	
 Name of fifth inventor	 Yossi Morik
Residence	100 East Huron 1102-1103, Chicago, IL 60611
Citizenship	United States
Post Office Address	100 East Huron 1102-1103, Chicago, IL 60611
Inventor's signature	
Date	
 Name of sixth inventor	 Eitan Konstantino
Residence	29 Meadows Park Court, Orinda, California 94563
Citizenship	Israel
Post Office Address	29 Meadows Park Court, Orinda, California 94563
Inventor's signature	
Date	
 Name of seventh inventor	 Tanhum Feld
Residence	Moshav Merhavia, 19105 Israel
Citizenship	Israel
Post Office Address	Moshav Merhavia, 19105 Israel
Inventor's signature	
Date	

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on August 21, 2003, (Application No. 10/644,550); and

WHEREAS Advanced Stent Technologies, Inc., a corporation of Delaware, whose post office address is 6900 Koll Center Parkway, Suite 415, Pleasanton, California 94566 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____

State of _____

SS.

Subscribed and sworn to before me
this _____ day of _____, 2003.

Notary Public

Gil M. Vardi

Full Name of Sole or First Assignor

4203 Stifel Lane Court, Town and Country, Missouri 63017

Address

First Assignor's Signature

Date

Names of additional inventors attached ☒ Yes ☐ No

County of _____

State of _____

Subscribed and sworn to before me
this ____ day of _____, 2003.

Notary Public

SS.

Charles J. Davidson
Full Name Second Assignor

1131 Sunview Lane, Winnetka, Illinois 60093
Address

Second Assignor's Signature

Date

County of _____

State of _____

Subscribed and sworn to before me
this ____ day of _____, 2003.

Notary Public

SS.

Eric Williams
Full Name Third Assignor

8267 Moller Ranch Drive, Pleasanton, California 94588
Address

Third Assignor's Signature

Date

County of _____

State of _____

Subscribed and sworn to before me
this ____ day of _____, 2003.

Notary Public

SS.

Amnon Yadin
Full Name Fourth Assignor

5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Address

Fourth Assignor's Signature

Date

County of _____	_____	<u>Yossi Morik</u>
State of _____		Full Name Fifth Assignor
	SS.	<u>100 East Huron 1102-1103, Chicago, IL 60611</u>
		Address
Subscribed and sworn to before me this __ day of _____, 2003.		_____
		Fifth Assignor's Signature
_____ Notary Public		_____
		Date

County of _____	_____	<u>Eitan Konstantino</u>
State of _____		Full Name Sixth Assignor
	SS.	<u>29 Meadows Park Court, Orinda, California 94563</u>
		Address
Subscribed and sworn to before me this __ day of _____, 2003.		_____
		Sixth Assignor's Signature
_____ Notary Public		_____
		Date

County of _____	_____	<u>Tanhum Feld</u>
State of _____		Full Name Seventh Assignor
	SS.	<u>Moshav Merhavia, 19105 Israel</u>
		Address
Subscribed and sworn to before me this __ day of _____, 2003.		_____
		Seventh Assignor's Signature
_____ Notary Public		_____
		Date

PCT

POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

KONSTANTINO, Eitan
29 Meadows Park Court
Orinda, California 94563
United States of America

hereby appoints (appoint) the following person as:



agent



common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

FRANK, Michelle V., Registration No. 37,038
CUMMINGS, Scott W., Registration No. 41,567
MALM, Brian J., Registration No. 44,895
all of
PATTON BOGGS LLP
8484 Westpark Drive
Suite 900
McLean, VA 22102-5117

to represent the undersigned before



all the competent International Authorities



the International Searching Authority only



the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: Stent with Protruding Branch Portion for Bifurcated Vessels

Applicant's or agent's file reference: 021617.0253PTWO

International application number (if already available): PCT/US03/26743

filed with the following Office United States Patent and Trademark Office as receiving Office
and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):

KONSTANTINO, Eitan

Date: _____

PCT Application (as filed)
Serial No. PCT/US03/26743

“STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS”

Attorney Docket No.: 021617.0253PTWO

U.S. Patent Application (as filed)
Serial No. 10/644,550

**"STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
VESSELS"**

Attorney Docket No.: 021617.0253PTUS

From: Michele V. Frank (703)744-7907
Patton Boggs LLP
8484 Westpark Drive, Suite 900
McLean, VA, 22102

REVENUE BARCODE

**FedEx.****To: Eitan Konstantino (925)931-2727****29 Meadow Park Court****Orinda, CA, 94563**

Ref: 021617.0253PTUS

SHIP DATE: 10FEB04
WEIGHT: 1 LBS

DELIVERY ADDRESS BARCODE(FEDEX-EDK)

TRK # 7900 5271 2409 FORM 5201**FedEx PRIORITY OVERNIGHT****94563-CA-US
RES****OAK
XH CCRA****WED
A2**Deliver by:
11FEB04

Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Patierno, Lisa

From: sysdeliv@fn3a.prod.fedex.com
Sent: Wednesday, February 11, 2004 3:39 PM
To: Patierno, Lisa
Subject: FedEx shipment 790052712409

Our records indicate that the shipment sent from Michele V. Frank/Patton Boggs LLP to Eitan Konstantino has been delivered.
The package was delivered on 02/11/2004 at 9:36 AM and signed for or released by 11632895.

The ship date of the shipment was 02/10/2004.

The tracking number of this shipment was 790052712409.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:
http://www.fedex.com/cgi-bin/tracking?tracknumbers=790052712409&action=track&language=english&cntry_code=us

Disclaimer

FedEx has not validated the authenticity of any email address.

Patierno, Lisa

Subject: FW: Online FedEx Tracking - 790052712409

-----Original Message-----

From: Patierno, Lisa
Sent: Wednesday, February 11, 2004 2:09 PM
Subject: Online FedEx Tracking - 790052712409

Tracking Number : 790052712409

Reference Number : 021617.0253PTUS
Ship Date : 02/10/2004
Delivered To : Recipient
Delivery Location : ORINDA CA
Delivery Date/Time : 02/11/2004 09:36
Signed For By : 11632895
Service Type : Priority Envelope

Scan Activity	Date/Time	Scan
---------------	-----------	------

Delivered ORINDA CA	02/11/2004 09:36	No
signature required - release waiver on file		
Delivered ORINDA CA	02/11/2004 09:36	No
signature required - release waiver on file		
On FedEx vehicle for delivery PACHECO CA	02/11/2004 08:14	
Left FedEx Ramp SAN JOSE CA	02/11/2004 08:14	
Arrived at FedEx Ramp SAN JOSE CA	02/11/2004 08:13	
Arrived at FedEx Destination Location PACHECO CA	02/11/2004 07:31	
Left FedEx Sort Facility OAKLAND CA	02/11/2004 06:57	
Arrived at Sort Facility OAKLAND CA	02/11/2004 05:59	
Left FedEx Sort Facility MEMPHIS TN	02/11/2004 04:42	
Left FedEx Sort Facility MEMPHIS TN	02/11/2004 03:42	
Left FedEx Sort Facility MEMPHIS TN	02/11/2004 01:21	
Arrived at Sort Facility MEMPHIS TN	02/11/2004 00:34	
Left FedEx Ramp DULLES VA	02/10/2004 23:24	

Disclaimer

FedEx has not validated the authenticity of any email address.

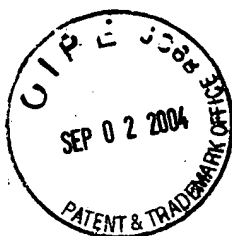
DISCLAIMER:

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy, or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (202) 457-6000 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Thank you.

This e-mail and all other electronic (including voice) communications from the sender's firm are for informational purposes only. No such communication is intended by the sender to constitute either an electronic record or an electronic signature, or to constitute any agreement by the sender to conduct a transaction by electronic means. Any such intention

or agreement is hereby expressly disclaimed unless otherwise specifically indicated. To learn more about our firm, please visit our website at <http://www.pattonboggs.com>.

EXHIBIT 2



8484 Westpark Drive
Suite 900
McLean, VA 22102-5117
703-744-8000

Facsimile 703-744-8001
www.pattonboggs.com

February 10, 2004

Michele V. Frank
(703) 744-7907
mfrank@pattonboggs.com

Practice Limited To Matters Before Federal
Courts and the United States Patent and
Trademark Office

VIA INT'L FEDERAL EXPRESS WITH SIGNATURE

Tanhum Feld
Moshav Merhavia
19105 Israel

Re: U.S. Application No. 10/644,550 and PCT/US03/26743
Entitled: STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
Our Ref: 021617.0253PTUS

Dear Mr. Feld:

We are writing to you on behalf of Advanced Stent Technologies with regard to the execution of certain formal papers in connection with the prosecution of the above-identified PCT and US Patent Applications.

More particularly, attached is a copy of International Application No. PCT/US03/26743 as filed, as well as a Power of Attorney, authorizing prosecution of this application by the indicated representative.

Also attached is a copy of U.S. Patent Application Serial No. 10/644,550, as filed, as well as updated Declaration and Assignment documents associated therewith. Please note that both the Power of Attorney and Declaration and Assignment documents have been prepared using the most recent address information available to us.

With respect to U.S. Patent Application Serial No. 10/644,550, we are presented with a final deadline of **March 17, 2004** for filing executed copies of the attached documents with the U.S. Patent and Trademark Office. Alternatively, Advanced Stent Technologies can proceed with the prosecution of the Application despite your refusal to sign the formal papers.

Please review, sign and date the attached documents and return them directly to me at the above-indicated address no later than **February 23, 2004**. Failure to do so would be construed as an express refusal to sign the formal papers, and Advanced Stent Technologies



Tanhum Feld
February 10, 2004
Page 2

will take the appropriate measures to proceed with the prosecution of the above-identified patent applications without your participation.

Should you have any questions or comments with regard to the above, please do not hesitate to contact us.

Best regards,

A handwritten signature in cursive script, appearing to read 'Michele V. Frank', followed by a horizontal flourish.

Michele V. Frank, Esq.

MVF:SWC:cdw

Enclosures



Atty. Dkt. No. 21617.290

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

(Attorney Docket No. 21617.290)

the specification of which (check one)

 is attached hereto.

 X was filed on August 21, 2003, as United States Application Number or PCT International Application Number 10/644,550 and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America,

listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
PCT/US99/00835	PCT	January 13, 1999	Yes	No

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/487,226	July 16, 2003
60/488,006	July 18, 2003
60/404,756	August 21, 2003

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/668,687		September 22, 2000	
09/326,445		June 4, 1999	6,325,826
10/440,401		May 19, 2003	
09/750,372		December 27, 2000	6,599,316
09/963,114		September 24, 2001	
09/007,265		January 14, 1998	6,210,429
08/744,002		November 4, 1996	

I HEREBY APPOINT the registered attorneys and agents at Customer Number 32042 to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michele V. Frank
Patton Boggs LLP
Customer Number: 32042

Telephone: (703) 744 9707
Facsimile: (703) 744 8001

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Charles J. Davidson
Residence	1131 Sunview Lane, Winnetka, Illinois 60093
Citizenship	United States
Post Office Address	1131 Sunview Lane, Winnetka, Illinois 60093
Inventor's signature	
Date	
Name of second inventor	Gil M. Vardi
Residence	14203 Stifel Lane Court, Town and Country, Missouri 63017
Citizenship	United States
Post Office Address	14203 Stifel Lane Court, Town and Country, Missouri 63017
Inventor's signature	
Date	
Name of third inventor	Eric Williams
Residence	2068 Davis Drive, Fairfield, California 94533
Citizenship	United States
Post Office Address	2068 Davis Drive, Fairfield, California 94533
Inventor's signature	
Date	

Name of fourth inventor	Amnon Yadin
Residence	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Citizenship	Israel
Post Office Address	5748 Owens Drive, Apt. 207, Pleasanton, California 94588
Inventor's signature	
Date	

Name of fifth inventor	Yossi Morik
Residence	100 East Huron 1102-1103, Chicago, IL 60611
Citizenship	United States
Post Office Address	100 East Huron 1102-1103, Chicago, IL 60611
Inventor's signature	
Date	

Name of sixth inventor	Eitan Konstantino
Residence	29 Meadows Park Court, Orinda, California 94563
Citizenship	Israel
Post Office Address	29 Meadows Park Court, Orinda, California 94563
Inventor's signature	
Date	

Name of seventh inventor	Tanhum Feld
Residence	Moshav Merhavia, 19105 Israel
Citizenship	Israel
Post Office Address	Moshav Merhavia, 19105 Israel
Inventor's signature	
Date	

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on August 21, 2003, (Application No. 10/644,550); and

WHEREAS Advanced Stent Technologies, Inc., a corporation of Delaware, whose post office address is 6900 Koll Center Parkway, Suite 415, Pleasanton, California 94566 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____

State of _____

SS.

Subscribed and sworn to before me
this _____ day of _____, 2003.

Notary Public

Gil M. Vardi

Full Name of Sole or First Assignor

4203 Stifel Lane Court, Town and Country, Missouri 63017

Address

First Assignor's Signature

Date

Names of additional inventors attached ☒ Yes ☐ No

Date _____

County of _____ State of _____ Subscribed and sworn to before me this ____ day of _____, 2003. _____ Notary Public	SS.	_____ Yossi Morik Full Name Fifth Assignor _____ 100 East Huron 1102-1103, Chicago, IL 60611 Address _____ Fifth Assignor's Signature _____ Date
County of _____ State of _____ Subscribed and sworn to before me this ____ day of _____, 2003. _____ Notary Public	SS.	_____ Eitan Konstantino Full Name Sixth Assignor _____ 29 Meadows Park Court, Orinda, California 94563 Address _____ Sixth Assignor's Signature _____ Date
County of _____ State of _____ Subscribed and sworn to before me this ____ day of _____, 2003. _____ Notary Public	SS.	_____ Tanhum Feld Full Name Seventh Assignor _____ Moshav Merhavia, 19105 Israel Address _____ Seventh Assignor's Signature _____ Date

PCT

POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

FELD, Tanhum
Moshav Merhavia
19105 Israel

hereby appoints (appoint) the following person as:



agent



common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

FRANK, Michelle V., Registration No. 37,038
CUMMINGS, Scott W., Registration No. 41,567
MALM, Brian J., Registration No. 44,895
all of
PATTON BOGGS LLP
8484 Westpark Drive
Suite 900
McLean, VA 22102-5117

to represent the undersigned before



all the competent International Authorities



the International Searching Authority only



the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: Stent with Protruding Branch Portion for Bifurcated Vessels

Applicant's or agent's file reference: 021617.0253PTWO

International application number (if already available): PCT/US03/26743

filed with the following Office United States Patent and Trademark Office as receiving Office
and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):

FELD, Tanhum

Date: _____

PCT Application (as filed)
Serial No. PCT/US03/26743

“STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED VESSELS”

Attorney Docket No.: 021617.0253PTWO

U.S. Patent Application (as filed)
Serial No. 10/644,550

**"STENT WITH PROTRUDING BRANCH PORTION FOR BIFURCATED
VESSELS"**

Attorney Docket No.: 021617.0253PTUS


[Products/Services](#)
[eShipping](#)
[Tools](#)
[Information](#)
[Press](#)
[Careers](#)

Tracking Results

Road and Rail Freight
Air and Ocean Freight

Industry Solutions

Logistics Solutions

Services A-Z

Corporate Information

Contact

DHL Fast Track

DHL Air Waybill

Go

Other tracking options

Web Shipping

Book a Pick-up

Order Supplies

Tracking

DHL Interactive

Trade Automation Service

These are the results of your query

Times given are local to the service area in which the shipment checkpoint is recorded.

Air Waybill Number	Origin Service Area	Destination Service Area	Status
7686227592	Dulles, VA - USA	Tel Aviv - Israel	Signed for by: NACHUM Shipment February 15, 2004 16:15 ✓

7686227592 - Detailed Report

Date	Time	Location Service Area	Checkpoint Details
February 10, 2004	17:34	Dulles, VA - USA	Shipment picked up
February 10, 2004	19:02	Dulles, VA - USA	Departing origin
February 11, 2004	05:07	Cincinnati Hub, OH - USA	Departed from DHL facility in USA
February 11, 2004	09:08	New York City Gateway, NY - USA	Arrived at DHL facility in New Gateway - USA
February 11, 2004	09:53	New York City Gateway, NY - USA	Departed from DHL facility in Gateway - USA
February 12, 2004	06:27	Tel Aviv - Israel	Arrived at DHL facility in Tel Aviv
February 12, 2004	10:52	Tel Aviv - Israel	With delivery courier
February 12, 2004	17:12	Tel Aviv - Israel	Address Information needed;
February 13, 2004	08:03	Tel Aviv - Israel	With delivery courier
February 13, 2004	09:08	Tel Aviv - Israel	Address Information needed;
February 15, 2004	12:59	Tel Aviv - Israel	With delivery courier
February 15, 2004	16:15	Tel Aviv - Israel	Shipment delivered

Try a new search.





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

PATTON BOGGS LLP
8484 WESTPARK DRIVE
SUITE 900
MCLEAN, VA 22102

COPY MAILED

MAY 13 2004

In re Application of:
Davidson et al.
Application No. 10/644,550
Filed: August 21, 2003
Title of Invention: STENT WITH
PROTRUDING BRANCH PORTION FOR
BIFURCATED VESSELS

OFFICE OF PETITIONS

DECISION GRANTING
PETITION UNDER
37 CFR 1.47(a)

This is in response to a Petition under 37 CFR 1.47, filed March 17, 2004, to allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor. The petition is properly treated under 37 CFR 1.47(a).

The petition is granted.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

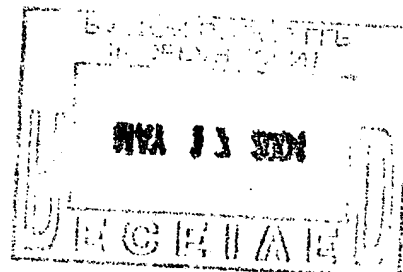
Petitioner has shown that the non-signing inventors, Eitan Konstantino and Tanhum Feld, refuse to join in the application.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the Petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for continued processing.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0014.

Derek L. Woods
Derek L. Woods
Petitions Attorney
Office of Petitions





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

EITAN KONSTANTINO
29 MEADOWS PARK COURT
ORINDA, CA 94563

COPY MAILED

MAY 13 2004

OFFICE OF PETITIONS

In re Application of: :
Davidson et al. :
Application No. 10/644,550 : LETTER
Filed: August 21, 2003 :
Title of Invention: STENT WITH :
PROTRUDING BRANCH PORTION FOR :
BIFURCATED VESSELS :

Dear Mr. Konstantino:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-0014. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Derek L. Woods
Derek L. Woods
Petitions Attorney
Office of Petitions

cc: PATTON BOGGS LLP
8484 WESTPARK DRIVE
SUITE 900
MCLEAN, VA 22102



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

TANHUM FELD
MOSHAV MERHAVIA
19105 ISRAEL

COPY MAILED

MAY 13 2004

OFFICE OF PETITIONS

In re Application of: :
Davidson et al. :
Application No. 10/644,550 : LETTER
Filed: August 21, 2003 :
Title of Invention: STENT WITH :
PROTRUDING BRANCH PORTION FOR :
BIFURCATED VESSELS :

Dear Mr. Feld:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-0014. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Derek L. Woods
Derek L. Woods

Petitions Attorney
Office of Petitions

cc: PATTON BOGGS LLP
8484 WESTPARK DRIVE
SUITE 900
MCLEAN, VA 22102